

Memorandum

TO : Mr. W. C. Sullivan

DATE:

1-Mr. Belmont
1-Mr. Mohr
1-Mr. Callahan
1-Mr. DeLoach
2-28-64

FROM : Mr. W. A. Branigan

1-Mr. Rosen
1-Mr. Sullivan
1-Mr. Malley
1-Mr. Branigan
1-Mr. Lenihan
1-Mr. Decker
1-Mr. Gheesling

SUBJECT: LEE HARVEY OSWALD
INTERNAL SECURITY - R - CUBA

Memorandum Mr. DeLoach to Mr. Mohr, 2-25-64, reported information from Dick Berlin and Kingsbury Smith, General Manager and Editor, respectively, Hearst Publications, that unnamed Hearst reporter, described by Berlin as very reliable, had been advised by Melvin Belli, attorney for Jack Ruby, that Oswald was an FBI informant; that Belli knew from reliable sources that Ruby had been an informant for 8 weeks and Oswald an informant for 13 weeks. Smith stated this Hearst reporter had a tape recording of Belli making these allegations. It was recommended consideration be given to immediately interviewing Belli and the Director noted: "Yes. Make him either put up or shut up."

At 9:20 p.m., 2-28-64, SAC Gordon Shanklin, Dallas, telephonically advised Night Supervisor A. J. Decker as follows. SAC Shanklin and SA Vincent E. Drain interviewed Belli the evening of 2-28-64 in a hotel room secured for that purpose. Belli insisted that his fellow lawyer, Joe Tonahill, be present. Belli was advised that we had received information from a reliable source that he had stated Lee Harvey Oswald was a security-type informant of the FBI for a period of 13 weeks. He was informed that there was absolutely no truth in this and that we desired to secure from him any and all information which he had in this regard.

Belli stated that around the first of the year he had seen an article in the "Houston Post" by Lonnie Hudkins, which article was a rumor to the effect that Oswald might have been an informant of the FBI or CIA, and subsequent to that article Belli subpoenaed Hudkins to appear as a witness at the change of venue hearing before Judge Joe D. Brown. Sometime during that period he heard another rumor around the courthouse to the effect that Oswald might have been an informant of the FBI. Belli related that he questioned Hudkins during the change of venue hearing as he felt that the prosecution might try to use him at a later date. Judge Brown in the change of venue hearing refused to permit Hudkins to answer his question after objections of the prosecution.

Belli stated that he thought at that time and still does think that these rumors originated with William Alexander, Assistant District Attorney, who had tried to plant other rumors on him and that it was Belli's feeling that Alexander thought Belli might fall for this trap. He stated he placed no credence whatsoever in the rumor that Oswald was an informant and that if there was any credence to such he did not think

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that such information had any place in the Jack Ruby trial. He pointed out that if he brought this up in the trial he would certainly have to prove it and he would never think of doing so without seeing if it were true from the FBI.

Belli stated that he had talked to numerous reporters and news media during the past several weeks and he could not recall with whom he had talked. However, he did recall, to the best of his memory, that approximately 3 weeks ago someone asked him if he had heard the rumor that Oswald had been an informant of the FBI and he believed that the person asking this question was a reporter. To the best of his memory Belli stated he told this person that he had heard this rumor around the courthouse. He does not recall exactly what he said but he is certain he never said anything to the effect that Oswald had been an informant for 13 weeks or that he had been a security informant. Belli was again emphatically advised that Lee Harvey Oswald has never been an informant of the FBI. He again reiterated that he does not think so and never would place any credence in this rumor.

Belli was also advised that we received information that he had also stated that Jack Leon Ruby had been an informant of the FBI for a period of 8 weeks. Both he and Tonahill stated that they had at no time ever heard anyone state that Ruby was an informant or infer that he was an informant. Belli insisted that he be permitted to call his other co-counsel to the room, Phillip Burleson, and ask him if he had ever heard this rumor. Burleson upon being asked the same question as to whether or not he had ever heard of Ruby being an informant or a rumor to that effect, advised that he had never heard a rumor from anyone to that effect.

Belli, Tonahill and Burleson all stated that they had never told anyone or inferred to anyone that Ruby was an informant of the FBI. Belli stated that he believed he and his co-counsels would have known if Ruby had been an informant of the FBI since they had questioned him in detail about his entire life and he is certain Ruby would have told him if he had been an informant. He stated Ruby had never mentioned in any manner whatsoever cooperating with the FBI.

Upon conclusion Belli stated that he was getting "damped tired" of Assistant District Attorney William Alexander planting rumors which Alexander thought Belli might fall for and it was his opinion that Alexander was probably the source concerning the rumor that Oswald was an informant of the FBI. Belli then specifically asked SAC Shanklin if Ruby had ever been an informant as this was the first that he had ever heard of it and he was advised that Ruby had never been an informant of the FBI. Belli asked no further questions.

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RECOMMENDATIONS:

(1) Although William Alexander has categorically denied being the source of rumors that Oswald was an FBI informant, our inquiries strongly point to Alexander as the source of those scurrilous rumors and Alexander may be the source of the alleged rumors concerning Ruby. In view of our experience with Alexander no worthwhile purpose would be served in reinterviewing him and the Director has instructed that no further contacts be had with Alexander.

*I think Sec should
ask Wicks to tell him we
shall visit him
when we get to the
place.*

(2) While Belli also categorically denied making any statements as alleged by Hearst officials, it is believed that in order to conclusively pin this matter down Mr. DeLoach's office should contact Kingsbury Smith and ask that he make the alleged recording of Belli's statements available for our review.

Yes.

(3) Immediately following our review of this recording, if it is made available, we will furnish the above details to the President's Commission.

GA

*OK.
H. W. L.*

Wicks

G